

ORDINANCE NO. 175

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AMENDING ORDINANCE NO. 152 GRANTING THE SHORELINE WASTEWATER MANAGEMENT DISTRICT A NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, MAINTAIN, OPERATE, REPLACE AND REPAIR A SANITARY SEWER SYSTEM, IN, UNDER, THROUGH AND BELOW CERTAIN DESIGNATED PUBLIC RIGHTS-OF-WAY OF THE CITY OF SHORELINE, WASHINGTON

WHEREAS, the City of Shoreline, by Shoreline City Ordinance No. 172, annexed additional property as described therein as of November 2, 1998; and

WHEREAS, RCW 35A.14.900 provides that any franchise or permit theretofore granted to any person, firm, or corporation by the state or county authorizing or otherwise permitting the operation of any public transportation, or other similar public service business or facility, is automatically canceled upon the annexation of that franchised area by a city, but that upon annexation the City must grant such businesses a franchise or permit to continue such business within the annexed area of the City for a term of not less than seven years; and

WHEREAS, Shoreline Wastewater Management District (District) has been granted a franchise by King County in the annexed area that has terms substantially different from the existing franchise under which the District has been granted authority to provide services within Shoreline; and

WHEREAS, the City has offered to grant the District a franchise in accordance with King County franchise #3742 for the period of seven (7) years as required by RCW 35A.14.900, but that the District has declined the same; and

WHEREAS, the City of Shoreline and the District desire to add the territory annexed to the City by Ordinance No. 172 and future annexation areas within the District's current service area to the terms and conditions of the existing District franchise granted thereto by Shoreline City Ordinance No. 152 through which they are granted the authority to operate in the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The franchise granted to the Shoreline Wastewater Management District pursuant to Ordinance No. 152 is amended as hereafter set forth. The following paragraph is added as the last paragraph of Section 4, Jurisdiction:

"The terms and conditions of this franchise shall extend without further action on the part of either party to areas annexed to the City otherwise consistent with the definition of "City Road Rights of Way" as provided herein."

Section 2. Directions to City Clerk. The City Clerk is hereby authorized and directed to forward a certified copy of this ordinance to the franchisee set forth in this ordinance. The franchisee shall have 60 days from receipt of the certified copy of this ordinance to accept in writing the terms of the franchise granted by this ordinance. Failure to accept this offered franchise amendment within that time frame shall result in the termination of any authority granted hereby.

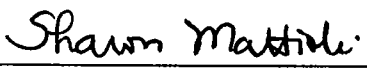
Section 3. Effective Date. This ordinance shall take effect and be in full force **five** (5) days after the date of publication. The City Clerk is hereby directed to publish this ordinance in full.

PASSED BY THE CITY COUNCIL ON OCTOBER 26, 1998



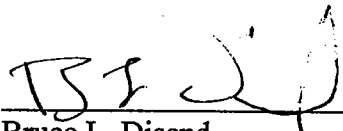
Mayor Scott Jepsen

ATTEST:



Sharon Mattioli, CMC
City Clerk

APPROVED AS TO FORM:



Bruce L. Disend
City Attorney

Date of Publication: October 28, 1998
Effective Date: November 2, 1998